

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Dwayne Thompson, individually, and on
behalf of his minor daughter "RMT" and
Pamela McDeavitt,

Plaintiffs,

v.

Kathryn M. Hens-Greco; Kimberly Berkeley
Clark, Krista Abram; Shane Mock; Jonathan
Voelker; Pernille Frankmar; Voelker &
Colton, LLC; Lauren Darbouze; Reserve
Township Police; Brian Tully; Fred Boory Jr;
Pittsburgh Municipal Court; Barbara Clements;
Allegheny County; Patrick Quinn; Christopher
Connors; Geraldine M. Redic; Claire Capristo;
Allegheny County Sheriff's Department;
Anthony Fratto; Holly Zemba; Allegheny County
Department of Court Records; Allegheny County
Office of Children and Youth Services;
Bruce Noel; Brynn Alpee; McKeesport Area
School District; Fifth Judicial District; and
John and Jane Does, 1-10,

Defendants.

Civil Action No. 16-1100

District Judge Cercone
Magistrate Judge Lenihan

ECF No. 141

REPORT AND RECOMMENDATION

I. RECOMMENDATION

It is respectfully recommended that the John and Jane Doe Defendants 1-10 be dismissed for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

II. REPORT

On October 24, 2017, the Court ordered that Plaintiff shall, no later than November 14, 2017, file a document indicating whether he intends to proceed against Defendants John and Jane Does 1-10, indicating with more specificity what role they played and what federal rights they

violated. The Court further noted that numerous motions to dismiss were filed and granted and that all that remains in the case besides the Doe Defendants is a default judgment against Defendants Abram and Mock. Plaintiff failed to file a response as to whether he intends to proceed against these unidentified defendants. Therefore, as indicated in its October 24, 2017 Order, the Court must recommend that these John and Jane Doe Defendants be dismissed for failure to prosecute.

III. CONCLUSION

It is respectfully recommended that the John and Jane Doe Defendants 1-10 be dismissed for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

In accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, the parties are allowed fourteen (14) days from the date of service of a copy of this Report and Recommendation to file objections. Any party opposing the objections shall have fourteen (14) days from the date of service of objections to respond thereto. Failure to file timely objections will constitute a waiver of any appellate rights.

Dated: November 20, 2017

BY THE COURT

A handwritten signature in black ink, appearing to read 'L. P. Lenihan', is written over a horizontal line.

LISA PUPO LENIHAN
United States Magistrate Judge

cc: Dwayne Thompson
1013 Coal Street
Pittsburgh, PA 15221

All counsel of record
Via electronic filing